

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
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UNITED STATES OF AMERICA, and the)
STATES OF NEW YORK AND)
VERMONT, *ex rel.* MICHAEL HAWKINS)

Plaintiffs/Relator,)

v.)

THE UNIVERSITY OF VERMONT)
HEALTH NETWORK, INC., and)
UNIVERSITY OF VERMONT MEDICAL)
CENTER, INC.,)

Defendants.)

Case No. 2:18-cv-85-cr

ORDER

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the States of Vermont and New York having declined to intervene in this action pursuant to the Vermont False Claims Act, 32 V.S.A. § 632(b)(5)(B), and the New York False Claims Act, N.Y. State Fin. Law, Art. 13, § 190(2)(f), the court hereby **ORDERS** that:

1. the Complaint be unsealed and served on Defendants by the relator;
2. all documents filed by the United States outlining its investigation of whether to intervene contained in the court's docket in this action shall remain under seal and not be made public or served upon the defendant, except for this Order, the United States' Notice of Election to Decline Intervention, and the States of Vermont and New York's Joint Notice of Election to Decline Intervention, which the relator shall serve on Defendants only after effecting service of the Complaint;
3. the seal be lifted as to all other matters occurring in this action after the date of this

Order;

4. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States and the States of Vermont and New York, as provided for by 31 U.S.C. § 3730(c)(3), 32 V.S.A. § 633(c), and N.Y. State Fin. Law, Art. 13, § 190(2)(f), respectively. The United States and the States of Vermont and New York, may order any deposition transcripts and may seek to intervene in this action, for good cause shown, at any time;
5. the parties shall serve all notices of appeal upon the United States and the States of Vermont and New York;
6. all Orders of this court shall be sent to the United States and the States of Vermont and New York; and
7. should the relator or Defendants propose that this action be dismissed, settled, or otherwise discontinued, the court will solicit the written consent of the United States and the States of Vermont and New York, and provide the United States and the States of Vermont and New York an opportunity to be heard on the matter, before ruling or granting its approval.

IT IS SO ORDERED.

Dated: 12/2/2021

/s/ Christina Reiss
HON. CHRISTINA REISS
United States District Judge